

IN THE UNITED STATES BANKRUPTCY COURT
FOR DISTRICT OF DELAWARE

IN RE: (
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 W.R. Grace & Co. *et al.* (Bankruptcy No. 01-1139
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 Debtor(s) (Chapter 11
 (Related to Dkt. #2193, 2375
 (Related to July 22, 2002, Agenda No. 13
 (

ORDER

AND NOW, this 21 day of October, 2002,

WHEREAS this Court held several hearings, including one on July 22, 2002, on the above captioned Agenda No. 13 and entered a scheduling order which modified the order Debtors' counsel presented in the hearing binder;

WHEREAS a modified scheduling order entered at the July 22, 2002, hearing on Agenda No. 13 was not docketed and cannot be located by the Court or the parties;

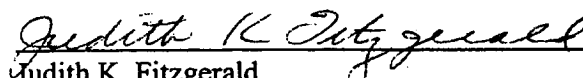
WHEREAS the Court has reviewed the transcripts concerning Agenda No. 13, and the proposed orders submitted by various parties,

NOW, THEREFORE, IT IS ORDERED that the scope of discovery will be limited to what science demonstrates with regard to whether ZAI creates an unreasonable risk of harm. Any discovery disputes shall be handled in accordance with the Federal Rules of Bankruptcy Procedure, the Local Rules for the Bankruptcy Court for the District of Delaware, the procedures of this Court and any orders entered by this Court.

It is FURTHER ORDERED that the discovery schedule is as follows:

- (1) Fact discovery ends December 31, 2002;
- (2) ZAI claimants' expert report is due January 15, 2003;
- (3) Debtors' expert report is due January 31, 2003;
- (4) Depositions of ZAI claimants' experts are to be conducted from February 3, 2003, to February 28, 2003;
- (5) Depositions of Debtors' experts are to be conducted from March 3, 2003, to March 31, 2003;
- (6) Debtors shall file and ZAI claimants may file a Rule 42 consolidation motion together with related Daubert/summary judgment motions by April 30, 2003;
- (7) Responses are due May 26, 2003;
- (8) Replies are due June 6, 2003. Replies are limited to 10 pages;
- (9) Argument will be in Pittsburgh, Pennsylvania, Courtroom A, 5490 US Steel Tower, 600 Grant Street, on June 30, 2003, and July 1, 2003, at 9:00 a.m. at which time the Court will address further pretrial matters.

IT IS FURTHER ORDERED that consideration of matters relating to class certification is postponed until further Order.


Judith K. Fitzgerald
United States Bankruptcy Judge